1 BILL NO. Z-86-07-27

2 ZONING MAP ORDINANCE NO. Z-Withdrawn

3 AN ORDIANNCE amending the City of
4 Fort Wayne Zoning Map No. N-42.

5
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

7
8 SECTION 1. That the area described as follows is hereby designated an R-3 (Multi-Family Residential) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

11
12
13 Lot C in A.F. Smith's Subdivision as recorded in the office of the Recorder of Allen County, Indiana,

14
15
16 and the symbols of the City of Fort Wayne Zoning Map No. N-42, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

19 SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

22
23 ________________________________
COUNCILMEMBER

24 APPROVED AS TO FORM AND LEGALITY:

25 ________________________________
BRUCE O. BOXBERGER, CITY ATTORNEY

26
27
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29
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31
32

Read the first time in full and on motion by Eisbart
seconded by Henry, and duly adopted, read the second ti
by title and referred to the Committee Regulations (and the C
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wa
Indiana, on ______, the ______ day of
______, 19___, at ______ o'clock ___.M.,

DATE: 7-22-86 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by ______
seconded by ______, and duly adopted, placed on it
passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES					
BRADBURY					
BURNS					
EISBART					
GiaQUINTA					
HENRY					
REDD					
SCHMIDT					
STIER					
TALARICO					

Withdrawn

DATE: ______
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. ______ on the ______ day of ______, 19___

ATTEST: (SEAL)

______
SANDRA E. KENNEDY, CITY CLERK

______
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indian
on the ______ day of ______, 19___
at the hour of ______ o'clock ______.M.,E.S.T.

______
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this ______ day of ______
19___, at the hour of ______ o'clock ______.M.,E.S.T.

______
WIN MOSES, JR., MAYOR

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

Ck# 4625

RECEIPT

№ 1100

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 6-16 1986

RECEIVED FROM Thomas Saukars $ 50.00

THE SUM OF fifty 00/100 DOLLARS

ON ACCOUNT OF rezoning - 900 Coss Cook

Pos.

AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO.

DATE FILED

THIS IS TO BE FILED IN DUPLICATE

INTENDED USE

I/We Richard R. and Minota J. Bidlack
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an R-3 District the property described as follows:

Lot C in A.F. Smith's Subdivision as recorded in the ofice of the Recorder of Allen County, Indiana

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

900 East Cook Road, Fort Wayne, Indiana

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Richard R. Bidlack	5508 Wapiti Drive	Richard R Bidlack
Minota J. Bidlack	Fort Wayne, Indiana 46804	x Minota J. Bidlack

(If additional space is needed, use reverse side.)

Legal Description checked by
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinanc being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matte for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
Thomas A. Swihart	710 Lincoln Bank Tower Fort Wayne, Indiana 46802	422-9402

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearin approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 22, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-07-27: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 15, 1986; and

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 22, 1986.

Certified and signed this
25th day of September 1986.

Melvin O. Smith
Secretary

Thomas A. Swihart
Attorney at Law

710 Lincoln Bank Tower
Fort Wayne, Indiana 46802
TELEPHONE 219 422-9402

September 17, 1986

City Plan Commission
City County Building
Fort Wayne, Indiana 46802

ATTN: Wayne O'Brien

In Re: Rezoning Application of R & M Bidlack, 903 E. Cook Road

Dear Wayne:

Pursuant to our telephone conversation of September 17, 1986, this letter is to advise that I will appear on behalf of Mr. and Mrs. Bidlack at the September 22nd meeting at 7:00 o'clock P.M. and reiterate our request that our rezoning petition be withdrawn from consideration. As I indicated to you, when the petition was submitted, Cardinal Industries had advised us they would not consider the land for any development unless the property could be rezoned to R-3. However, Cardinal was unwilling at that time to invest any effort or money into engineering or a proposed site plan to make approval of the petition more realistic. We realized that we would have a real uphill battle with the requested zoning.

Subsequently, Cardinal Industries has come back to us with some new people, and advised that they were willing to work with us and the appropriate city departments to rough out a site plan that would be acceptable to everyone with an RA zoning designation.

Under the circumstances, it seems appropriate to recognize that an RA zoning may satisfy everyone involved, whereas the R-3 has received interdepartmental objection because of the lack of control; therefore, we believe it to be in everyone's best interest to withdraw our petition and submit a new request to rezone the real estate to RA at such time as preliminary site plan discussions have been satisfied with the various departments and representatives of Cardinal Industries or other interested developer.

My appreciation for your continued courtesies and cooperation afforded by your department to me and my clients.

Very truly yours,

Tom Swihart

Thomas A. Swihart

TAS:mc

FACT SHEET

Z-86-07-27

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment		
From R-1 to R-3		

DETAILS

Specific Location and/or Address

903 E. Cook Road

Reason for Project

WITHDRAWN AT REQUEST OF PETITIONER

Discussion (Including relationship to other Council actions)

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Richard & Minota Bidlack City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	☐ For ☐ Against Reason Against
Board or Commission Recommendation	By ☐ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditio (See Details column for conditi
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pa

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** June 16,1986

Projected Completion or Occupancy **Date** September 25, 1986

Fact Sheet Prepared by **Date** September 25, 1986

Patricia Biancaniello

Reviewed by **Date**

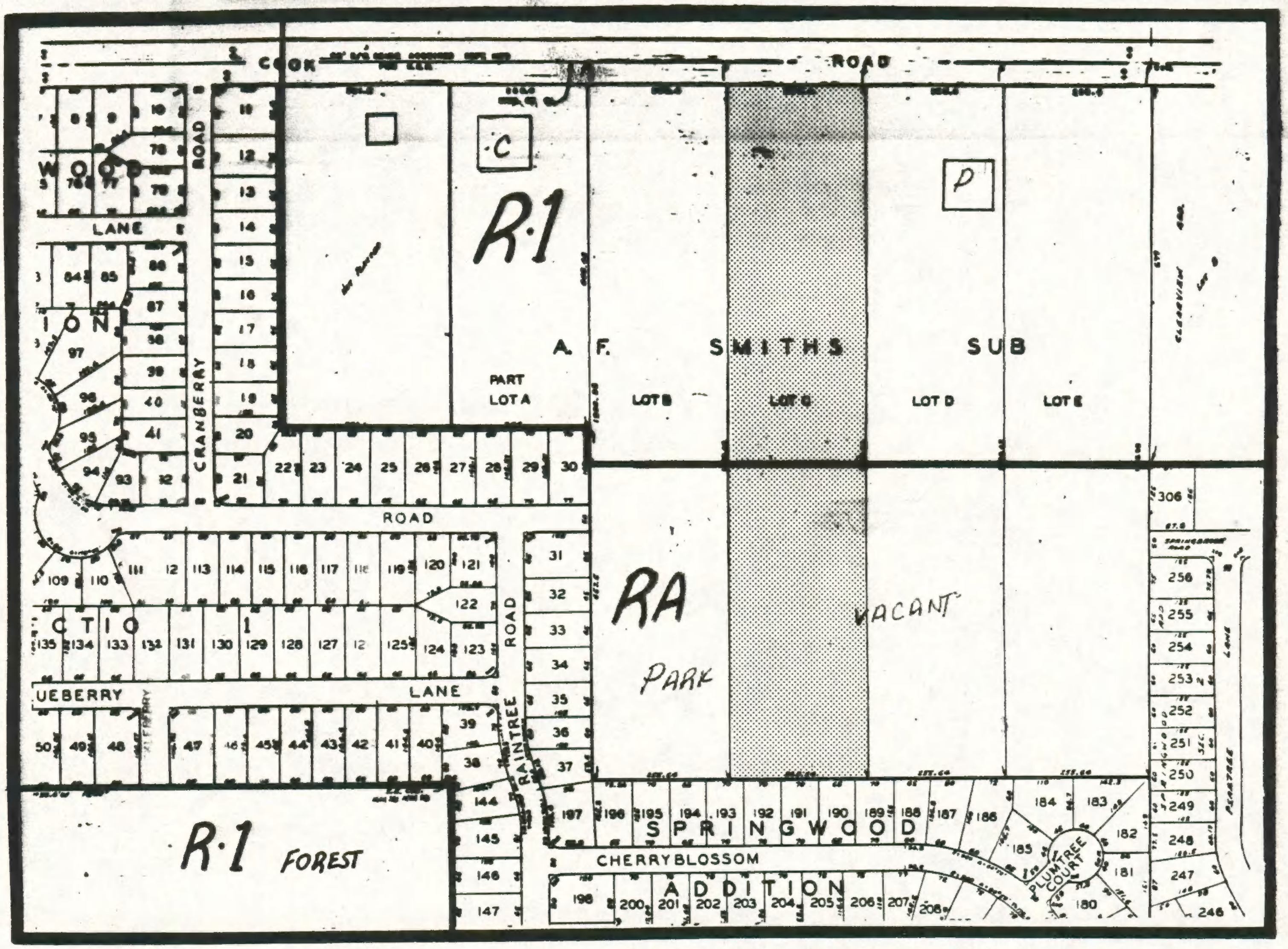
Gary Baxter September 26, 1986

Reference or Case Number

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-1 DISTRICT TO AN R-3 DISTRICT.

MAP NO. N-42

COUNCILMANIC DISTRICT NO. 3



ZONING:

RI RESIDENTIAL DISTRICT

RA RESIDENCE 'A'

LAND USE:

☐ SINGLE FAMILY

C COMMERCIAL

P PUBLIC - SCHOOL

SCALE: 1" = 243'

DATE: 7-1-86

N

ORIGINAL

Admn. Appr. ____________

COUNCILMANIC DISTRICT No. ___ DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 900 Block of East Cook Road 3-86-07-27

EFFECT OF PASSAGE Property is presently zoned R-1 - Single Family Residential. Property will become R-3 - Multi-Family Residential.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) ____________

(ASSIGN TO COMMITTEE (J.N.) ____________

BILL NO. Z-86-07-27

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) (RESOLUTION) amending the City of Fort Wayne Zoning Map No. N-42

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (RESOLUTION) WITHDRAWN

YES		NO
[signature]	BEN A. EISBART CHAIRMAN	
Janet G. Bradbury	JANET G. BRADBURY VICE CHAIRWOMAN	
[signature]	DONALD J. SCHMIDT	
Thomas C. Henry	THOMAS C. HENRY	
Charles B. Redd	CHARLES B. REDD	

CONCURRED IN 10-14-86

SANDRA E. KENNEDY
CITY CLERK